



**AFFIDAVIT OF SERVICE**

I, the undersigned, certify that I have served on the date of June 21, 2023, the attached *Respondent's Answer To Formal Complaint* upon the following persons by depositing the document via Federal Express and by placing in a U.S. Postal Service mailbox in Burr Ridge, Illinois, by the time of 5:00 p.m. with proper postage or delivery charges prepaid:

Paul Christian Pratapas  
1330 E. Chicago Avenue  
Naperville, IL 60563

DuPage County Sheriff  
Attn: Civil Division  
501 N. County Farm Road  
Wheaton, IL 60187

\_\_\_\_\_/s/ Richard J. Nogal  
Richard J. Nogal Attorney for Wille Bros. Company

Richard J. Nogal ([rjn@gsrnh.com](mailto:rjn@gsrnh.com))  
Andrew Leuchtmann ([axl@gsrnh.com](mailto:axl@gsrnh.com))  
Goldstine, Skrodzki, Russian,  
Nemec and Hoff, Ltd.  
835 McClintock Drive, Second Floor  
Burr Ridge, IL 60527  
Telephone: (630) 655-6000  
Facsimile: (630) 655-9808

**ILLINOIS POLLUTION CONTROL BOARD**

PAUL CHRISTIAN PRATAPAS, )  
an American, )  
 )  
Plaintiff, )  
 )  
vs. ) No. PCB 2023-076  
 )  
WILLE BROS. COMPANY; )  
 )  
AND )  
 )  
DUPAGE COUNTY SHERIFF, )  
 )  
Respondents. )

**RESPONDENT'S ANSWER TO FORMAL COMPLAINT**

Respondent, WILLE BROS. COMPANY, by its attorneys, Goldstine, Skrodzki, Russian, Nemecek and Hoff, Ltd., pursuant to 415 ILCS 5/31(d)(1), and 35 Ill. Admin. Code 101.202, for its Answer to the Plaintiff's Formal Complaint, states as follows:

**1. Your Contact Information**

Name: Paul Christian Pratapas  
Street Address: 1330 E. Chicago Ave.  
Naperville  
County: DuPage  
State: IL  
Phone Number: 630.210.1637

**ANSWER: No answer is required as this item is included in the formal complaint for informational purposes only.**

**2. Name and Address of Respondents**

Name: Wille Brothers Company  
Address: 11303 W. Monee Manhattan Road  
Monee, IL 60449  
Phone: 708.535.4101

Name: DuPage County Sheriff  
Deputy Kurt Barbour  
Address: 501 N. County Farm Road  
Wheaton, IL 60187  
Phone: 630.407.2000

**ANSWER:** The Board has ordered that the complaint be corrected to reflect the proper name of the Respondent as “Wille Bros. Company.” No further answer is required as this item is included in the formal complaint for informational purposes only.

- 3. Describe the type of business or activity that you allege is causing or allowing pollution (e.g., manufacturing company, home repair shop) and give the address of the pollution source if different than the address above.**

Wille Brothers Company was providing concrete services for the foundation of a single-family home in Unincorporated Naperville.

**Location Pollution Occurred:** 25W351 Plank Road Naperville, IL 60563

**ANSWER:** Wille Bros. admits it was providing concrete services for the foundation of a single-family home in unincorporated Naperville. Answering further, Wille Bros. denies that it was the only company providing services at said location. Wille Bros. denies that any pollution occurred at 22W351 Plank Road, Naperville, Illinois 60563.

- 4. List specific sections of the Environmental Protection Act, Board regulations, Board order, or permit that you allege have been or are being violated.**

1. 415 ILCS 5.12(a)
2. 415 ILCS 5/12 (d)

**ANSWER:** Wille Bros. denies that it violated 415 ILCS 5.12(a) or 415 ILCS 5/12(d).

- 5. Describe the type of pollution that you allege and the location of the alleged pollution.**

Water: Complainant was driving on Plank Road near his family’s Naperville Residence since 1984 when I noticed a skid steer with the scoop full of concrete washout, concrete washout on the side of the Plank Rd and a concrete truck on site.

Complainant approached the site and asked for the contractors not to dump the washout in the footprint of the home as is the industry standard. There were no concrete washout facilities on site. Complainant was ignored and asked for the permit number for the site which was not posted anywhere.

At this point, individual A began instructing individual B to back the concrete truck into complainant in an attempt to strike complainant and intimidate me away from obtaining the permit number for the purpose of petitioning the government for help maintaining environmental compliance at the site.

Complainant then called the DuPage Sheriff to report the incident and obtain help in determining the permit number for the build site.

Complainant met deputy Kurt Barbour and a female officer at the Chase Bank around the corner. Deputy Kurt Barbour had been involved in past incidents with respondent in the recent past where he was extremely disrespectful. Given this fact and other incidents with equally worthless deputies, complainant immediately handed Deputy Kurt Barbour his certified inspector of stormwater certification card. A certification complainant obtained as part of his role as a professional inspector of stormwater with SWPPP permit implementation/management duties.

Complainant explained what had just happened, handed Deputy Kurt Barbour the certification card and asked if Deputy Kurt Barbour was going to be willing to assist in obtaining the permit number for the site.

Kurt and the female officer began making rude comments about what Complainant did to create problems and inquired if Complainant had taken his medications. Deputy Kurt Barbour is under the impression Complainant has some undiagnosed mental health condition.

Complainant is a mental health/behavioral analysis expert who worked in residential psychiatric facilities, including police drop offs. Complainant also has high functioning autism. It is unclear what Deputy Kurt Barbour's major malfunction is. After immediately realizing the DuPage Sheriff was going to insult me rather than help, complainant went home and researched the company involved for reporting purposes.

**ANSWER: Wille Bros. denies that it owned a skid steer on the date in question or that it was the party involved in the allegations set forth in paragraph 5. Wille Bros. lacks sufficient knowledge to admit or deny statements regarding whether there were concrete washout facilities on site or the contents or operation of any other company's skid steer nearly three years ago. Wille Bros. denies that any of its employees attempted to back a truck into complainant. Wille Bros. denies that its employees were asked for a permit number by the complainant and ignored him. Wille Bros. lacks sufficient knowledge to admit or deny any claims regarding interactions between the Complainant and DuPage County Sheriff's Office.**

- 6. Describe the duration and frequency of the alleged pollution. Be as specific as you reasonably can about when you first noticed the alleged pollution, how**

**frequently it occurs, and whether it is still continuing (include seasons of the year, dates, and time of day if known).**

Occurred on or around July, 27, 2020 and the same industry standards are occurring today resulting in widespread pollution around The State and the violation of civil liberties by law enforcement. As The Board is aware of from other Open Formal Complaints.

**ANSWER: Wille Bros. denies that it polluted any land, air or water on July 27, 2020. Wille Bros. lacks sufficient information to admit or deny complainants statements about industry standards causing pollution throughout the state, or violations of civil liberties by law enforcement.**

- 7. Describe any bad effects that you believe the alleged pollution has or has had on human health, on plant or animal life, on the environment, on the enjoyment of life or property, or on any lawful business or activity.**

The effects of concrete washout water on plant and animal life are widely known and accepted. Leaving it onsite inside foundation footprints poses immediate risks to communities it occurs in every time.

Not having the support of the police during the ungodly number of citizen enforcement actions I have had to do only goes to show how imperative it is the ILEPA be stopped from issuing any new NPDES SWPPP permits and there be a review of all active sites.

**ANSWER: Wille Bros. lacks sufficient information to admit or deny the statements about the effects of concrete washout on plant and animal life in general. Answering further, Wille Bros. denies that it was responsible for any concrete washout, or that it damaged any plant life, animal life or the environment.**

- 8. Describe the relief that you seek from the Board.**

1. Find that Respondent has violated The Act and their permit(s)
2. Assess a maximum civil penalty
3. Recommendation(s) for criminal charges against Respondent(s)
4. Independent investigation into the officers for the purposes of protecting civil liberties of Americans
5. Complainant requests the Sheriff resign in the interest of the public
6. A Board order prohibiting Wille Brothers Company from pouring/contracting any concrete/concrete services in Illinois until the conclusion of this case, due to the severe nature of the offenses and inability to rely on law enforcement to preserve fundamental constitutional rights

7. A board order explaining the role law enforcement has in enforcing environmental laws alongside Americans exercising their civil liberties
8. An investigation into any State of IL contracts held by Wille Brothers Co. and their immediate termination

**ANSWER: Wille Bros. denies that any relief is warranted. Paragraphs 4, 5 and 6 of paragraph 8 have been stricken by Order of the Board.**

9. **Identify any identical or substantially similar case you know of brought before the Board or in another forum against this respondent for the same alleged pollution (note that you need not include any complaints made to the Illinois Environmental Protection Agency or any unit of local government).**

No identical or substantially similar cases have been brought to The Board which I am aware of.

**ANSWER: No answer is required to this paragraph as it makes no allegations.**

Respectfully submitted,

WILLE BROS. COMPANY,

By: /s/ Richard J. Nogal  
One of Its Attorneys

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